UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,437	07/11/2003	David W. Holmes	CING-118	3221

39013   7590   02/02/2009
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ART UNIT	PAPER NUMBER
2626	

MAIL DATE	DELIVERY MODE
02/02/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/617,437	HOLMES, DAVID W.
	Examiner	Art Unit
	JAMES S. WOZNIAK	2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>24 November 2008</u>.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-30</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-30</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>11 July 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   In response to the office action from 5/23/2008, the applicant has submitted a Request for

Continued Examination (RCE), filed 11/24/2008, making no claim amendments, while arguing

to traverse the art rejection based on several claim limitations *(Amendment, Pages 7-14)*.

Applicant's arguments have been fully considered, however the previous rejection is maintained

due to the reasons listed below in the response to arguments.

Response to Arguments

2.   Applicant's arguments have been fully considered but they are not persuasive for the

following reasons:

The applicants' arguments submitted in the current amendment from 11/24/2008 *(Pages*

8-14) are a direct copy of those submitted in the amendment from 2/29/2008 *(Pages 8-14)*.

These arguments were fully addressed in the Final Office Action mailed on 5/23/2008 *(Pages 2-*

7). Thus, in regards to these arguments, see the examiner's response from 5/23/2008, which has

been repeated below:

With respect to **Claims 5 and 13**, the applicant argues that these dependent claims recite

"a pairing code specific to the wireless device, which is more specific and limiting of the broader

independent claims from which they depend" *(Amendment, Page 8)*. In response the examiner

notes that independent claim 1 recites that "pairing information [is] a first [or second] *unique*

encryption key" for each wireless device, while claim 13 recites a similar limitation. Thus, the

independent claims already set forth that a paring code *(i.e., encryption key)* is unique/specific to

a wireless device. Claims 5 and 13 simply restate a similar limitation, which does not further

limit the independent claims. As such, the improper dependent claim objection is maintained.

Moving to the art rejections, the applicant first traverses the rejection of claim 7 and 17

and their dependents because it is alleged that Thomas et al *(U.S. PG Publication:*

2002/0065663) fails to teach a wireless device including a processor, microphone connected to

the processor, and logic as set forth in the claims *(Amendment, Pages 8-9)*. These arguments fail

to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims

define a patentable invention without specifically pointing out *how* the language of the claims

patentably distinguishes them from the references. In response though, the examiner notes that

Thomas does teach that the devices for pairing are portable/wireless *(Paragraphs 0028-0030)*.

These devices feature a microphone *(Fig. 7, Element 14)* which feeds to a speech recognition

processor logic running in the device that converts speech commands into control commands for

wireless device pairing *(Paragraph 0022; and Fig. 7, Element 15)*. Thus, the applicant's

arguments have been fully considered, but are not convincing. Also, claim 17 refers to the

method performed by the system of claim 7, but does not recite the aforementioned structural

elements, thus the applicant's arguments do not apply to this claim, which is also taught by

Thomas *(see below rejection)*.

With respect to **Claim 28**, the applicant argues that Thomas does not teach codes for a

secure wireless session because Thomas only refers to a network address *(Amendment, Page 9)*.

In response to applicant's arguments, the recitation "secure communication" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951). There is no step/limitation in the claims that links "secure" to the pairing information. Also, the claim generically recites "pairing information" *(and not a Bluetooth pairing code to which the applicant seems to be referring, which is taught by* Silvester *(U.S. Patent: 7,254,708) as per the below rejection)*, which is anticipated by Thomas' code that enables a paring between two wireless devices as is shown in Fig. 1. Fig. 1 shows that a pairing code is audibly rendered at a first device to a user who then repeats the code for speech recognition at another wireless device to achieve pairing/connection of the two devices. Thus, the applicant's arguments have been fully considered, but are not convincing. In response to the allegation that Thomas fails to teach a specific pairing code for a wireless device *(Amendment, Page 9)*, the examiner points to Thomas' teaching that an address code can be permanently assigned to a specific wireless device *(Paragraph 0020)*. Thus, the applicant's arguments with respect to claim 30 are not convincing.

With respect to **Claims 3 and 9**, the applicant argues that neither Thomas nor Silvester *(U.S. Patent: 7,254,708)* teaches synchronizing acts defined by pairing information with the communication of audio signals via a speaker *(Amendment, Page 10)*. In support of this traversal, the applicant first argues that Thomas fails to teach any security features because

Thomas makes no mention of encryption/authentication information *(Amendment, page 10)*. In

response, the examiner notes that although Thomas does teach that his invention can be used for

other codes *(Paragraph, 0032)*, the "encryption keys" are taught by Silvester (*Col. 5, Lines 46-*

62; Col. 6, Lines 40- Col. 7, Line 3; Col. 9, Line 58- Col. 10, Line 19; Col. 11, Line 60- Col. 12,

Line 4; Col. 14, Lines 35-51; and Col. 19, Lines 41-56). The Bluetooth

authentication/encryption keys taught by Silvester are "private" and used to

"maintain...security" *(Col. 5, Lines 46-62)*. Silvester also notes that these codes are audibly

rendered to achieve pairing between wireless Bluetooth devices *(Col. 14, Lines 35-51)* and that

the voice information output is performed in unison *(i.e., synchronized)* with exchanging pairing

information between the two wireless devices *(Col. 12, Line 66- Col. 13, Line 4; and Col. 19,*

Lines 41-56). Furthermore, Thomas shows that speech information is exchanged each time

pairing codes are exchanged *(which are Bluetooth keys in the case of Silvester) (Fig. 7)*. Thus,

the combination of the prior art of record teaches the aforementioned claim limitation. Also,

because Silvester teaches software *(i.e., logic)* which coordinates the speech

recognition/synthesis information with exchanged pairing information, the applicant's general

allegation that Silvester simply does not teach the aforementioned limitation *(Amendment, Page*

11) is not convincing. Claims 12, 20, 22, and 24 are traversed for the same reasons *(Amendment,*

Page 11), and thus, the preceding response would apply to these claims as well.

    With respect to **Claims 4 and 29**, the applicant argues that Cannon et al *(U.S. Patent:*

7,155,163) fails to teach a pairing code common to a particular model of wireless device

(Amendment, Page 11). In response, the examiner points out that Cannon teaches the concept of

assigning pairing codes among devices of a similar type-model classification such as a music

device *model* category *(specific devices carrying the common model code, Col. 5, Lines 12-20)*.

Also, for example, in the case of Thomas *(Paragraphs 0019 and 0028)* or Silvester *(Col. 5, Lines 16-32; and Fig. 1)*, different models can correspond to specific unit/device models. Thus, Cannon teaches the recited "common to a model of the wireless device".

The applicant argues that with respect to the reasons given with respect to claims 3 and 4, claim 1 is not taught by the prior art of record *(Amendment, Page 11)*. In response, examiner points out that the aforementioned limitations are not part of claim 1. Since these arguments have been addressed above and specifically because claim 1 does not include the limitations of claims 3-4, these arguments are not convincing.

The applicant traverses the art rejection of **claim 6 and 15** based on the allegation that Thomas, Silvester, and Haller et al *(U.S. Patent: 6,845,097)* are from different fields of endeavor and that it would not have been obvious to one of ordinary skill in the art to combine their teachings *(Amendment, Page 12)*. In response, the examiner points out that, as noted in the prior Office Action *(Page 14)*, Thomas, Silvester, and Haller are analogous art because they are from a similar field of endeavor in device pairing systems utilizing speech recognition and one of ordinary skill in the art, at the time of invention, would have been motivated to combine their teachings for the benefit of providing a well-known alternative command type to a voice command that is capable of accessing a device pairing message over a telephone network *(Haller, Col. 6, Lines 31-37)*. Thus, the combination of Thomas and Haller is proper. The applicants arguments that claim 15 contains subject matter similar to claim 6 *(Amendment, Page 12)* is not convincing because claim 15 makes no mention of DTMF signals and claim 15 does not require a unique encryption as is recited in claim 1 upon which claim 6 depends. The

applicants arguments that Thomas fails to teach encryption codes *(also pertaining to claim 14*

which is similar to claim 6) (Amendment, Pages 12-13) are not convincing because these codes

are taught by Silvester as is pointed out above. The applicant argues that with respect to the

reasons given with respect to claims 14, claim 10 is not taught by the prior art of record

(Amendment, Page 13). In response, examiner points out that the aforementioned limitations are

not part of claim 10. Since these arguments have been addressed above and specifically because

claim 10 does not include the limitations of claims 14, these arguments are not convincing.

The applicant makes no mention of what specifically is lacking in claim 10 *("examiner*

has failed to indicate how Silvester or Haller disclose or suggest any of the missing limitations in

claim 10", Amendment, Page 13), thus these general accusations of patentability are not

convincing *(in response, see below rejection)*.

With respect to **claim 16**, the applicant acknowledges that Thomas teaches "logic that

converts an IP or network address into audible signals, or logic that converts an audible numeric

IP or network address into a control signal", but argues that these codes are not pairing

information *(it is noted that these arguments seem instead to be directed to claim 15 which refers*

to the pairing information) (Amendment, Pages 13-14). In response, the examiner notes that

Thomas specifically recites that his speech synthesis/recognition signals effect connection *(i.e.*

pairing) between two portable/wireless devices *(Paragraphs 0006 and 0022)*. Thus, these

arguments have been fully considered, but are not convincing.

The remaining claims are traversed for reasons similar to the aforementioned claims

(Amendment, Page 14). In regards to such arguments, see the above appropriate response.

Claim Objections

3.   **Claims 5 and 13** are objected to under 37 CFR 1.75(c), as being of improper dependent

form for failing to further limit the subject matter of a previous claim. Applicant is required to

cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or

rewrite the claim(s) in independent form. Claims 5 and 13 recite a pairing code specific to the

wireless device, which is already respectively recited in claims 1 and 9.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   **Claims 7, 17-18, 28, and 30** are rejected under 35 U.S.C. 102(b) as being anticipated by

Thomas et al *(U.S. Patent Application Publication: 2002/0065663)*.

With respect to **Claim 7**, Thomas recites:

A microphone *(Fig. 7, Element 14)*;

A processor *(speech recognition processor, Paragraph 0022)*; and

Logic which, in communication with the processor, converts signals produced by the

microphone into control signals, and applies the control signals to effect pairing of the wireless

device with another device *(converting a device address to a control signal to enable device pairing, Paragraph 0022)*.

With respect to **Claim 17**, Thomas recites:

First wireless device converting pairing information for a second wireless device into audible signals and the first wireless device communicating the audible signals to the second wireless device *(speech synthesis of pairing information and speech output via a speaker, Paragraphs 0020 and 0030)*;

The second wireless device converting the audible signals into control signals and the second wireless device applying the control signals to effect pairing with the first wireless device *(speech recognition of pairing data and control signal generation, Paragraphs 0022 and 0030)*.

With respect to **Claim 18**, Thomas discloses the speech recognition processing as applied to Claim 17.

With respect to **Claim 28**, Thomas recites:

A first wireless device converting pairing information for a second wireless device into audible signals *(Paragraph 0020 and Fig. 1, Element 12)*;

The first wireless device communicating the audible signals to a human *(Paragraph 0020 and Fig. 1, Element 13)*;

The subscriber providing inputs corresponding to the audible signals to the second wireless device *(Paragraph 0022 and Fig. 1, Element 5)*;

The second wireless device converting the inputs into control signals *(Paragraph 0022 and Fig. 1, Element 15)*; and

The second wireless device applying the control signals to effect pairing with the first

wireless device *(Paragraph 0022)*.

With respect to **Claim 30**, Thomas further discloses:

A pairing code specific to the wireless device *(device-specific address, Paragraph 0020)*.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

7.   **Claims 1-3, 5, 9-11, and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Thomas et al *(U.S. Patent Application Publication: 2002/0065663)* in view of Silvester

(U.S. Patent: 7,254,708).

With respect to **Claim 1**, Thomas recites:

Pairing information for a first wireless device *(address of another device stored in a*

memory register, Paragraph 0020; and pairing message received from another device,

Paragraph 0022);

Pairing information for another wireless device *(address stored in a memory register to*

be sent to another device for establishing a link, Paragraph 0020);

A processor coupled to the wireless device *(Speech synthesis address generation processor Fig. 7, Element 12)*;

A speaker coupled to the processor to communicate audible signals *(Fig. 7, Element 13)*; and

Logic which, in communication processor, converts the pairing information for the other wireless device to audible signals, and communicates the audible signals to be communicated via the speaker *(reading and synthesizing a device address stored in a memory register, Paragraph 0020)*.

Although Thomas establishes that it is well known in the art to implement wireless device connection using speech recognition/synthesis technologies, Thomas only recites establishing such a connection using an IP address not an encryption key that is unique to each first and second wireless device. Silvester, however, discloses the concept of using voice signals to connect two Bluetooth devices, wherein the voice signal is an audio rendition of an encryption code that is unique to a wireless device *(Col. 5, Lines 46-62; Col. 6, Lines 40- Col. 7, Line 3; Col. 9, Line 58- Col. 10, Line 19; Col. 11, Line 60- Col. 12, Line 4; Col. 14, Lines 35-51; and Col. 19, Lines 41-56)*.

Thomas and Silvester are analogous art because they are from a similar field of endeavor in voice-enabled device connection. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to expand the teachings of Thomas with the concept of connecting Bluetooth devices using voice information as taught by Silvester in order to uncomplicatedly enable secure connections between Bluetooth devices without requiring a user to enter a long series of numbers *(Silvester, Col. 5, Lines 46-62; and Col 1, Lines 42-53)*.

With respect to **Claim 2**, Thomas further discloses:

Logic which, when applied to the processor, performs acts defined by the pairing

information for the wireless device *(converting address data to speech using a vocabulary and*

receiving a pairing message from a second device, Paragraph 0020).

With respect to **Claim 3**, Silvester further discloses a challenge/response scheme used to

pair wireless devices *(Col. 12, Line 66- Col. 13, Line 14)*, while Thomas discloses the speech

synthesis output generated to enable device connections, as applied to claim 1.

With respect to **Claim 5**, Silvester further discloses:

Pairing code specific to the wireless device *(unique keys, Col. 5, Lines 46-62)*.

With respect to **Claim 9**, Thomas recites:

A processor *(Speech synthesis address generation processor Fig. 7, Element 13)*;

A speaker coupled to the processor to communicate audible signals *(Fig. 7, Element 13)*;

and

Logic which, when applied to the processor, converts the pairing information for the

other wireless device to audible signals, and communicates the audible signals via the speaker

(reading and synthesizing a device address stored in a memory register, Paragraph 0020).

Although Thomas establishes that it is well known in the art to implement wireless device

connection using speech recognition/synthesis technologies, Thomas only recites establishing

such a connection using an IP address not an encryption key that is unique to each first and

second wireless device. Silvester, however, discloses the concept of using voice signals to

connect two Bluetooth devices, wherein the voice signal is an audio rendition of an encryption

code that is unique to a wireless device *(Col. 5, Lines 46-62; Col. 6, Lines 40- Col. 7, Line 3;*

Col. 9, Line 58- Col. 10, Line 19; Col. 11, Line 60- Col. 12, Line 4; Col. 14, Lines 35-51; and

Col. 19, Lines 41-56). Silvester further discloses a challenge/response scheme in which pairing

information from another wireless device is acquired/communicated over a wireless network

(Col. 5, Line 46- Col. 6, Line 2; and Col. 12, Line 66- Col. 13, Line 14).

Thomas and Silvester are analogous art because they are from a similar field of endeavor

in voice-enabled device connection. Thus, it would have been obvious to a person of ordinary

skill in the art, at the time of invention, to expand the teachings of Thomas with the concept of

connecting Bluetooth devices using voice information as taught by Silvester in order to

uncomplicatedly enable secure connections between Bluetooth devices without requiring a user

to enter a long series of numbers *(Silvester, Col. 5, Lines 46-62; and Col 1, Lines 42-53).*

With respect to **Claim 10**, Thomas further discloses:

Logic which, when applied to the processor, performs acts defined by the pairing

information for the wireless device *(converting address data to speech using a vocabulary and*

receiving a pairing message from a second device, Paragraph 0020).

Claim 11 contains subject matter similar to Claim 3, and thus, is rejected under similar

rationale.

Claim 13 contains subject matter similar to Claim 5, and thus, is rejected under similar

rationale.

8.   **Claim 29** is rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas et al in

view of Cannon et al *(U.S. Patent: 7,155,163).*

With respect to **Claim 29**, Thomas teaches the wireless device that establishes a

connection with another wireless device through synthesized audio, as applied to Claim 28.

Thomas does not specifically disclose device pairing codes common to a wireless device model,

however Cannon discloses a pairing code common to a particular model of wireless device *(Col.*

5, Lines 12-20).

Thomas and Cannon are analogous art because they are from a similar field of endeavor

in device pairing systems utilizing speech recognition. Thus, it would have been obvious to a

person of ordinary skill in the art, at the time of invention, to modify the teachings of Thomas

with the pairing code taught by Cannon in order to enable multiple devices carrying the same

code to be paired automatically *(Col. 5, Lines 12-20).*

9.   **Claims 4 and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas

et al in view of Silvester and further in view of Cannon et al *(U.S. Patent: 7,155,163).*

With respect to **Claim 4**, Thomas in view of Silvester teaches the wireless device that

establishes a connection with another wireless device through synthesized audio, as applied to

Claim 1. Thomas in view of Silvester does not specifically disclose device pairing codes

common to a wireless device model, however Cannon discloses a pairing code common to a

particular model of wireless device *(Col. 5, Lines 12-20).*

Thomas, Silvester, and Cannon are analogous art because they are from a similar field of

endeavor in device pairing systems utilizing speech recognition. Thus, it would have been

obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings

of Thomas in view of Silvester with the pairing code taught by Cannon in order to enable

multiple devices carrying the same code to be paired automatically *(Col. 5, Lines 12-20)*.

Claim 12 contains subject matter similar to Claim 4, and thus, is rejected under similar

rationale.

10.   **Claims 6 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas

et al in view of Silvester and further in view of Haller et al *(U.S. Patent: 6,845,097)*.

With respect to **Claim 6**, Thomas in view of Silvester teaches the wireless device that

establishes a connection with another wireless device through synthesized audio, as applied to

Claim 1. Thomas in view of Silvester does not teach that the audio information corresponds to

DTMF tones, however, Haller recites device pairing codes in the form of DTMF tones *(Col. 6,*

Lines 22-37).

Thomas, Silvester, and Haller are analogous art because they are from a similar field of

endeavor in device pairing systems utilizing speech recognition. Thus, it would have been

obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings

of Thomas in view of Silvester with the use of DTMF tones taught by Haller in order to provide

a well-known alternative command type to a voice command that is capable of accessing a

device pairing message over a telephone network *(Haller, Col. 6, Lines 31-37)*.

Claim 14 contains subject matter similar to Claim 6, and thus, is rejected under similar

rationale.

11.   **Claims 8, 15-16, and 19-27** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Thomas et al in view of Haller et al *(U.S. Patent: 6,845,097)*.

With respect to **Claim 15**, Thomas recites:

A microphone *(Fig. 7, Element 14)*;

A processor *(speech recognition processor, Paragraph 0022)*; and

Logic which, when applied to the processor, converts signals produced by the

microphone into control signals, and applies the control signals to effect pairing of the wireless

device with another device *(converting a device address to a control signal to enable device*

pairing, Paragraph 0022).

Thomas does not specifically suggest that speech signals are applied to a network to

affect device pairing, however Haller recites a network server that receives a pairing request in

the form of speech, recognizes the pairing request, and sends a pairing message to a wireless

device *(Col. 6, Lines 22-37)*.

Thomas and Haller are analogous art because they are from a similar field of endeavor in

device pairing systems utilizing speech recognition. Thus, it would have been obvious to a

person of ordinary skill in the art, at the time of invention, to modify the teachings of Thomas

with the network server taught by Haller in order to provide a means for confirming and

authorizing device pairing *(Haller, Col. 7, Lines 35-37)*.

With respect to **Claim 8 and 16**, Thomas discloses the wireless device as applied to

Claims 7 and 15 that receives a prompt for address generation, automatically outputs an audible

address, and waits for a pairing message response from a second device *(Paragraphs 0020-*

0022). Thomas does not specifically suggest that the output of an audio signal is synchronized

with pairing information, however Haller discloses a process that periodically updates device

pairing *(Col. 7, Lines 1-15)*, which when combined with the teachings of Thomas, would yield

synchronized audio output with every address retrieval step *(i.e., audio output provided at each*

update request).

Thomas and Haller are analogous art because they are from a similar field of endeavor in

device pairing systems utilizing speech recognition. Thus, it would have been obvious to a

person of ordinary skill in the art, at the time of invention, to modify the teachings of Thomas

with the periodic updating of pairing information taught by Haller in order to enable subsequent

automatic device pairing *(Haller, Col. 7, Lines 47-51)*.

Claim 19 contains subject matter similar to Claim 16, and thus, is rejected for the same

reasons.

With respect to **Claim 20**, Thomas recites:

A processor *(Speech synthesis address generation processor Fig. 7, Element 13)*;

A speaker *(Fig. 7, Element 13)*; and

Logic which, when applied to the processor, converts the pairing information for the

other wireless device to audible signals, and communicates the audible signals via the speaker to

effect wireless device pairing *(reading and synthesizing a device address stored in a memory*

register, Paragraph 0020-22).

Thomas does not specifically suggest that device information is sent to a network to

affect device pairing, however Haller recites a network server that receives a PIN identifying

another wireless device and sends a pairing message to a first wireless device *(Col. 6, Lines 22-*

37).

Thomas and Haller are analogous art because they are from a similar field of endeavor in device pairing systems utilizing speech recognition. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Thomas with the network server taught by Haller in order to provide a means for confirming and authorizing device pairing *(Haller, Col. 7, Lines 35-37)*.

With respect to **Claim 21**, Thomas discloses the speech recognition processing as applied to Claim 17.

Claim 22 contains subject matter similar to Claim 16, and thus, is rejected for the same reasons.

Claim 23 contains subject matter similar to Claim 20 (the second claim 20), and thus, is rejected for the same reasons.

Claim 24 contains subject matter similar to Claim 16, and thus, is rejected for the same reasons.

Claim 25 contains subject matter similar to Claim 15, and thus, is rejected for the same reasons.

With respect to **Claim 26**, Thomas further recites a response message sent by a wireless device to affect device pairing *(Paragraph 0022)*.

With respect to **Claim 27**, it would be obvious within the scope of the teachings of Thomas to incorporate speech synthesis/recognition capabilities in both devices to enable pairing initiation from either device *(Paragraphs 0020-0022 and Paragraph 0031)*.

Conclusion

12.   All claims are drawn to the same invention claimed in the application prior to the entry of

the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art

of record in the next Office action if they had been entered in the application prior to entry under

37 CFR 1.114. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action

after the filing of a request for continued examination and the submission under 37 CFR 1.114.

See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR

1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

will the statutory period for reply expire later than SIX MONTHS from the mailing date of this

final action.

13.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632.

The examiner can normally be reached on M-Th, 7:30-5:00, F, 7:30-4, Off Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Patrick Edouard can be reached at (571) 272-7603. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/James S. Wozniak/
Primary Examiner, Art Unit 2626